

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS

Plaintiff: Timell Williams B58000
Po Box 112
Joliet, IL 60434

1:18-cv-0019

Judge Matthew F. Kennelly
Magistrate Judge Maria Valdez
PC 4

Defendant 1: Director John Baldwin
Director of I.D.O.C.
1361 Concordia Ct.
Springfield, IL 62794

RECEIVED

JAN 2 2018 *fb*

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

Defendant 2: DR. [REDACTED] Elaze Glei
Doctor for Stateville CC (NRC)
Stateville Correctional Center
Joliet, IL 60434

Defendant 3: Laura McQueen
Nurse of Stateville Correctional Center
Stateville Correctional Center (NRC)
Joliet, IL 60434

Defendant 4: Dr. Diann
Doctor for Stateville Correctional Center
Stateville Correctional Center (NRC)
Joliet, IL 60434

Defendant 5: Warden Pfister
Warden for Stateville Correctional Center
Stateville Correctional Center
Joliet, IL 60434

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS

TIRNELL WILLIAMS, B58000,
Plaintiff,

v.

Case No.:
Judge:

ILLINOIS DEPARTMENT OF CORRECTIONS,
DR. ELAIZQUI, LAURA MCQUEEN,
DR. DIANN, WARDEN PFISTER, and
JOHN BALDWIN.

Defendants.

U.S.C. 1983 COMPLAINT

Plaintiff Tirnell Williams, Pro Se alleges as follows:

1. This is a civil action arising under Section 202, of the Americans with Disabilities Act, 42, U.S.C. 12132; and Section 504, of the Rehabilitation Act, 29, U.S.C. 794Q; Eighth Amendment; Fourteenth Amendment; and Equal Protection.
2. Plaintiff Tirnell Williams, is a disabled wheelchair assisted resident of The Northern District of Illinois, whom is presently incarcerated in Stateville Correctional Center, which is an inaccessible facility for wheelchair-bound inmates.
3. Defendant Baldwin, is the director of F.D.O.C. Plaintiff Sues Baldwin in his official capacity only. Defendant is responsible for accommodating the needs of disabled inmates.
4. Defendant Pfister, is the Warden of Stateville Correctional Center. Plaintiff Sues Pfister in his official capacity only. Defendant is responsible for accommodating the needs of disabled inmates.

5. Defendant Elac2Qui is responsible for the treatment and Health Care of Plaintiff while being in Stateville C.C. Plaintiff Sues defendant Elac2Qui, in his official and individual capacity.
6. Defendant Mc Queen is responsible for the treatment and Health Care of Plaintiff while being in Stateville C.C. Plaintiff Sues defendant Mc Queen in her official and individual capacity.
7. Defendant Dianne is responsible for the treatment and Health Care of Plaintiff while being in Stateville C.C. Plaintiff Sues defendant Dianne in her official and individual capacity.
8. Plaintiff is unable to use his legs and left arm adequately and is a "qualified individual with a disability protected by the ADA and the Rehabilitation Act."
9. Plaintiff entered Stateville C.C. December 1, 2017, and he will be housed at the inaccessible for at least five(5) months.
10. When Plaintiff entered I.D.O.C on December 1, 2017, Each defendant had the knowledge Plaintiff required a wheelchair to move from place to place, that he required a special toilet, sink, bed rails, wheelchair accessible beds and shower facilities and that he must be assigned to a Facility and Cellhouse Capable of accommodating his disability.
11. At all times relevant, Stateville is/has not been an authentic ADA Facility with accessible units to house each "qualified individuals wheelchair-bound with disabilities".
12. At all times relevant, defendants Baldwin and Pfister has been aware that Stateville is inaccessible for wheelchairs and that I.D.O.C has not had a sufficient number of ADA Facilities and accessible housing units for each qualified individual with a disability whom enters. I.D.O.C.

13. Rather than take any corrective action about the insufficient number of ADA facilities and inaccessible cellhouse units at Stateville defendants Baldwin and Pfister has turned a blind eye resulting in a widespread violations of federal law.

14. December 11, 2017, defendant Elaczqui kicked Plaintiff out of the "only accessible unit" to put another inmate in the accessible unit in the infirmary because there was no room for the other inmate despite of Plaintiff's protesting about "the inaccessible units; no one to assist him when he have Services; (had two(2) Since December 1, 2017) no way to get in the inaccessible beds; no way to Shower; and the irreparable harm he will face."

15. At all times relevant, approximately December 5, 2017, defendant changed Plaintiff's dosages and times "Only for the convenience of medical staff" gave Plaintiff improper amounts of another medication that he was taken overmedicating him resulting in him having multiple seizures and injuries.

16. At all times relevant, Plaintiff has not been called to the infirmary with deliberate indifference to his serious medical needs and has submitted numerous request to defendant Elaczqui in which he has not been called resulting in more seizures without medical assistance.

17. At all times relevant, Plaintiff is a diabetic and defendant Diann refused to call plaintiff three(3) times a day to treat Plaintiff's diabetes before meals and refusing to put him on any diabetes medications because he does not take insulin and he was told if you do not take insulin you can't come get diabetes treatment.

18. As a result Plaintiff was told his diabetes would not be treated and has been loosing an undisclosed amount of weight day and night sweats; dizziness; vision impairment; migraine headaches; and fear of eating excessively," which means Plaintiff eats once a day because of not knowing his sugar levels!"

19. At all times relevant, defendant Diann refused to treat Plaintiff's diabetes daily and Plaintiff has Submitted Numerous Request Oral and Written for the Serious Medical Need to be treated and has been ignored with deliberate indifference continuously.

20. On December 1, 2017, defendant McQueen was responsible for Plaintiff receiving his medical supplies; he receives Catheters, diapers (will spear the court the horrible Stories ~~and~~ events); absorbing pad's, and a urine bag with connectors. Plaintiff did not receive his medical supplies from December 11, 2017 through December 20, 2017; Plaintiff had to reuse the same catheter for the above periods; without diapers.

21. At all times relevant, once Plaintiff found out defendant McQueen was responsible for him not receiving supplies he called her incompetent and unprofessional and she retaliated against him by not ordering his supplies. Plaintiff begged an unknown Nurse for Supplies whom stated: "You don't even have a Supply Chart because you ~~are~~ OFF McQueen."

22. At all times relevant, Plaintiff was examined by defendants Elacqui and Diann and was told he needed Serious Physical Therapy, Stateville does not have a Physical Therapist because of being inaccessible for disable treatment which has been causing Plaintiff ~~multiple~~ nerve issues and other irreparable harm due to Plaintiff having to stay in the cell 24 hours a day.

23. At all times relevant, Plaintiff has been living in unsanitary conditions; not being able to shower after Soil issues; not being able to receive towels after Soil issues; not being able to receive Cleaning Supplies after or uniforms after Soil issues; not being able to wash or exchange Sheets and blankets after Soil issues which is daily; and have to sit in the cell daily living in these unsanitary conditions in which he is treated with deliberate indifference. "Aughen Story."

24. At all times relevant, Defendants I.D.O.C. BALDWIN and PEISTER's decision to accept custody of more disabled inmates that can be housed in the existing accessible facilities with the knowledge of Stateville being an inaccessible facility for wheelchair-bound ADA Qualified individuals has resulted in a widespread of Federal violations.

25. Plaintiff suffered physical injuries and is at risk daily to suffer further injuries in the future because of being housed at inaccessible facility and housing units.

26. Following his assignment to an inaccessible facility and units, Plaintiff made numerous oral written, and direct face-to-face complaints and has filed emergency grievances that has been unanswered and fully exhausted all available grievance remedies.

It is therefore respectfully requested that judgment be entered in favor of his injunction, for appropriate compensatory damages. In addition trial by Jury is demanded. Request that the Court grant his Motion for Recruitmet of Counsel and that the Court grant whatever other relief as may be appropriate, including an award of attorney fees and costs.

Date: 1-18

Respectfully Submitted,
Tirrell Williams

Tirrell Williams B-58000
Po Box 112
Joliet, IL 60434

Plaintiff left Cook County Jail December 1, 2017
and has not received funds since November 11, 2017,
and Plaintiff has not received funds at Stateville
Correctional Center.

Plaintiff's Lawsuits:

1. Williams v. City of Chicago, 12 C 8580. Settled.

2. Williams v. CTA, 17cv9072, Pending

3. Williams v. FDOC, 13cv216JPC. Settled

4. Williams v. DUMEG, et al 16cv3841. Pending

5. Williams v. Cook County et al. 17cv328. Pending

6. Williams v. Tom Dart, et al 17cv8644. Pending

Respectfully submitted,
Tawell Williams

Affidavit

I Tirrell Williams, swear under penalty of perjury
that the following is true and correct.

I arrived at Stateville December 1, 2017, upon arriving there
was not a wheelchair area to search Plaintiff. Plaintiff wears
a catheter and the catheter was yanked off while the
officer picked Plaintiff up to sit on the bench.

Plaintiff has epileptic seizures, paralyzed both legs
and left arm has paralysis the doctor assigned Plaintiff to
the infirmary and Plaintiff could not go because of no room.
Plaintiff had to sleep in his wheelchair also Plaintiff had
a seizure (two or). The doctor assigned Plaintiff to the
infirmary and Plaintiff was kicked out of the infirmary
back to an inaccessible unit because the Doctor told Stateville
"If you stay in the infirmary you will be here 6 months
trying to transfer if you go to the cellhouse you can get
out of here in about 4 months!" Plaintiff stated "I can
not do the cellhouse because of my condition;" and
Plaintiff was forced out anyway because room was need-
ed. Plaintiff filed grv. protest and was still kicked-out.

The seizures were December 1st and 7th, 2017.

There are numerous people (7 or 8) in stateville whom has
been here 5 mos. waiting to leave enduring the same
atypical and significant heartbreak plaintiff is enduring.
Most can't read or write and do not know how to address their
claims.

AFFIDAVIT

I, Tirrell Williams being first duly sworn under oath depose and state that the foregoing is true and correct and made upon my personal knowledge and I am competent to testify thereto.

On December 1, 2017, I arrived at Stateville, I was assigned to the infirmary due to my Medical Condition the infirmary was full and had only one accessible unit, which was taken. I was taking Seizure Meds that Stateville did not give me and had a seizure. I was also placed in an inaccessible unit that I had to sleep in my wheelchair December 2, 2017, I was taken to the infirmary.
On December 11, 2017 I was kicked out of the infirmary by doctor Roz, stating: "If You stay back here You will have to be here at least 6 mos. because the State has no room". I protested and told Dr. Roz, I am not able to do the inaccessible units but I was still kicked out. December 11, 2017, Dr. Roz Stated: "You will only be here about 4 months. The State has no room and Someone else needs the ADA room with a wheelchair!" I was told I needed to deal with

Tirrell Williams
AFFLANT

SUBSCRIBED AND SWORN TO BEFORE ME
THIS 21 DAY December 2017

NOTARY PUBLIC

AFFIDAVIT

I, Tinell Williams being first duly sworn under oath depose and state that the foregoing is true and correct and made upon my personal knowledge and I am competent to testify thereto.

1. I am not able to shower back here after Sci issues; Not able to receive Cleaning Supplies; Staff do not have jumpsuit to give stating there is not enough. I had 4 seizures all together and staff has not call me to medical.

I have corresponded with defendant Pfister and defendant Baldwin. My Correspondence has not been returned; I have filed Com. grievances. The process for the emergency grievances are up to Seven (7) days. It's been 20 days and as of now still Counting. "Dr. Porz is Defendant ELACQUED!"

I am requesting to the Court that this Injunction is heard immediately.

Tinell Williams
AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME
THIS 21 DAY December 2017

NOTARY PUBLIC

AFFIDAVIT

I, Marquette Jayner Y26472 being first duly sworn under oath depose and state that the foregoing is true and correct and made upon my personal knowledge and I am competent to testify thereto.

December 12, 2017 I was moved into cell G103 and the second I walked into the cell I noticed my cellmate was sitting in a wheelchair with a diaper & Tshirt on nothing else not to mention there was a foul odor in the cell and I knew my cellmate had defecated on himself I also noticed a "Biohazard" box that also had a foul odor I asked my cellmate why wasn't he wearing his uniform he told me that they wouldn't give him another and the one they did give him had urine and feces on it I felt bad for the guy so I washed it for him by hand I also noticed old urine stains on the floor so I asked a guard for cleaning supplies they wouldn't give them to me so I requested to move numerous times I was told there was no room I had to help my cellmate get in & out of bed on & off the toilet I kept requesting to move after while staff started telling me no because I was his nurse in a joking way.

Marquette Jayner Y26472
AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME
THIS 12 DAY 15 2017

NOTARY PUBLIC

AFFIDAVIT

I, Tirrell Williams being first duly sworn under oath depose and state that the foregoing is true and correct and made upon my personal knowledge and I am competent to testify thereto.

I had a seizure December 15th, 17th, and 18th. I Sent Numerous Request to Health Care and have not been called. I have to stay in this Cell 24 hours a day by myself without being monitored. I Found that ~~was~~ I was being Overmedicate from an unknown Nurse, December 20th. She looked my Medications up and I was told my Lamotrigine was for 25mg "every other day" from 11-22-2017 - 12-6-2017, 25mg 12-7-2017- 12-22-17, 50 daily 12/22-17 2/21-18, I was not receiving the Med's on that Schedule, which caused Multiple Seizures. At these moments I am still at risk because I am in the Cell 24 hours a day by myself and when I tell Medical Dr. Dianne and Dr. Elaczaui I had a Seizure they stated "Your Seizure is over now so don't worry about it this was December 15th and 18th. "Stateville is a death trap for me!"

Tirrell Williams
AFFIANT

SUBSCRIBED AND SWORN TO BEFORE ME
THIS 29 DAY December 2017

NOTARY PUBLIC